

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18351. Conflict of Interest Code of the Fair Political Practices Commission.

(a) The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Fair Political Practices Commission.

Designated employees shall file statements of economic interests with the Fair Political Practices Commission which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the Fair Political Practices Commission.

(b) Appendix

Assigned

Disclosure

Designated Positions

Category

EXECUTIVE OFFICE

Executive Director	1
Communications Director	1
Government Affairs Director	1
Executive Fellow	3
Consultant	*
<i>LEGAL DIVISION</i>	
General Counsel	1
FPPC Counsel	1
Political Reform Consultant	3
Staff Services Analyst/Legal Analyst	4
<i>ENFORCEMENT DIVISION</i>	
Division Chief	1
Assistant Division Chief	1
Chief Investigator	1
FPPC Counsel	1
Investigator	2
Accounting Specialist	2
Political Reform Consultant	2
Staff Services Analyst/Associate Governmental Program Analyst	5
<i>TECHNICAL ASSISTANCE DIVISION</i>	
Division Chief	1
Assistant Chief	1
Manager, Filing Officer Programs	3

Political Reform Consultant	3
Staff Services Analyst	3

ADMINISTRATION DIVISION

Division Chief	1
Chief Information Officer	4
All Information Technology Staff, other than	
Chief Information Officer, at or above the position of	
Associate Information Systems Analyst	5
Associate Personnel Analyst	4
Associate Governmental Program Analyst	4
Budget Officer	4
Staff Services Analyst	4

* Consultants shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Executive Director may determine in writing that a particular consultant, although a "designated employee" is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Executive Director is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

Disclosure Categories

Category 1

A designated employee in this category must report investments, business positions, interests in real property, and sources of income, including gifts, loans, and travel payments.

Category 2

A designated employee in this category must report investments and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that:

(A) Are, or were, during the previous two years a "candidate," "public official," "committee," "lobbyist," "lobbying firm," or "lobbyist employer" within the meaning of the Political Reform Act, or file periodic reports pursuant to Government Code Sections 86114 and 86116; or

(B) Are attorneys that represent persons described in Category 2A in matters directly related to their status as described in Category 2A; or

(C) Are committee treasurers; or

(D) Were the subject of a complaint to, investigation by, or enforcement action of, the Commission, that was acted upon or participated in by the filer during the period covered by the statement.

Category 3

A designated employee in this category must report investments and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that:

(A) Are, or were, during the previous two years a "candidate," "public official," "committee," "lobbyist," "lobbying firm," or "lobbyist employer" within the meaning of the

Political Reform Act, or file periodic reports pursuant to Government Code Sections 86114 and 86116; or

(B) Are attorneys that represent persons described in Category 3A in matters directly related to their status as described in Category 3A; or

(C) Are committee treasurers.

Category 4

A designated employee in this category must report investments and business positions in business entities and income, including gifts, loans, and travel payments, from sources that are of the type that within the previous two years has provided services, equipment, leased space, materials, or supplies to the Fair Political Practices Commission.

Category 5

A designated employee in this category must report investments and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that manufacture, distribute, supply, or install computer hardware or software of the type utilized by the agency, as well as entities providing computer consultant services.

NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 87300, 87302, 87303, 87306 and 87311, Government Code.

HISTORY

1. New section filed 9-28-76; effective thirtieth day thereafter (Register 76, No. 40).
2. Amendment filed 5-2-79; effective thirtieth day thereafter (Register 79, No. 18).
3. Repealer and new section filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
4. Amendment filed 2-10-82; effective thirtieth day thereafter (Register 82, No. 7).
5. Amendment filed 10-10-86; effective thirtieth day thereafter (Register 86, No. 41).

6. Amendment filed 9-11-90; operative 10-11-90 (Register 90, No. 43). Submitted to OAL for printing only pursuant to Government Code section 11343.8.

7. Amendment of section and Appendix filed 8-28-95; operative 8-28-95 pursuant to Government Code section 11343.4(d). Approved by Fair Political Practices Commission (Register 95, No. 35).

8. Editorial correction deleting previously repealed text (Register 95, No. 39).

9. Change without regulatory effect amending second paragraph in subsection (a) and Appendix filed 10-2-95 pursuant to section 100, title 1, California Code of Regulations (Register 95, No. 40).

10. Amendment of Appendix and Reference citations filed 2-26-99; operative 3-28-99 (Register 99, No. 9). Submitted to OAL for printing only pursuant to Government Code section 11343.8.

This regulatory action was approved on 1-21-99 by the Attorney General of the State of California as required by Government Code section 82011.

11. Amendment of Appendix filed 5-10-2002; operative 6-9-2002 (Register 2002, No. 19).

Submitted to OAL for printing only pursuant to Government Code section 11343.8. This regulatory action was approved on 4-2-2002 by the Attorney General of the State of California as required by Government Code section 82011.

12. Amendment of section and Appendix filed 1-23-2006; operative 2-22-2006 (Register 2006, No. 4). Submitted to OAL for printing only pursuant to Government Code section 11343.8. This regulatory action was approved on 12-8-2005 by the Attorney General of the State of California as required by Government Code section 82011.

13. Amendment of section and Appendix filed 12-17-2007; operative 12-17-2007 (Register 2007, No. 51). Submitted to OAL for printing only pursuant to Government Code section

11343.8. This regulatory action was approved on 11-8-2007 by the Attorney General of the State of California as required by Government Code section 82011.